



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY  
REGION III  
1650 Arch Street  
Philadelphia, Pennsylvania 19103-2029

DEC 10 2012

The Honorable Bill Shuster  
Member, U.S. House of Representatives  
310 Penn Street, Suite 200  
Penn Street Center  
Hollidaysburg, Pennsylvania 16648

Dear Representative Shuster:

Thank you for your letter of November 19, 2012 to U.S. Environmental Protection Agency (EPA) concerning settlement discussions for alleged violations of federal law at the Bedford Valley Petroleum facility in Cumberland, Maryland. Our discussions with the company concern alleged violations identified during an August 2011 inspection of the facility to determine compliance with federal oil pollution prevention regulations. EPA's oil pollution prevention regulations, promulgated pursuant to the Clean Water Act, are intended to prevent oil spills to our nation's waterways.

Enforcement of the nation's environmental laws is an important component of EPA's mission. The goal of EPA's oil enforcement program is to protect public health and the environment by preventing oil spills and ensuring adequate spill response capabilities, deter would-be violators, raise awareness of oil spill prevention and spill response regulations, and level the playing field for those entities that follow the law. Under well-established Agency policy, EPA staff cannot comment on ongoing settlement negotiations of enforcement matters. The policy's purpose is to maintain the confidentiality of the negotiations process and to conduct the Agency's enforcement efforts in a professional manner. EPA will notify your office if the Agency initiates a formal action related to this matter.

In our enforcement cases, EPA is committed to fair and equitable settlements in accordance with the law. In resolution of all of our Clean Water Act cases, EPA seeks to negotiate a settlement amount that takes into account the penalty factors required by Congress, including economic impact of the penalty on the violator.

If you have any questions, please do not hesitate to contact me or have your staff contact Mrs. Laura Mohollen, EPA's Pennsylvania Liaison, at 215-814-3295.

Sincerely,

A handwritten signature in dark ink, appearing to read "Shawn M. Garvin", is written over a light blue horizontal line.

Shawn M. Garvin  
Regional Administrator